

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE BANK OF AMERICA CORP.
SECURITIES, DERIVATIVE AND
EMPLOYMENT RETIREMENT INCOME
SECURITY ACT (ERISA) LITIGATION

Master File No. 09 MD 2058 (DC)

CLASS ACTION

**NOTICE OF MOTION TO ADMIT
COUNSEL *PRO HAC VICE***

This document relates to:
All Securities Actions

Case No. 09 Civ. 0580 (DC)

FILED
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
2009 JUL 22 PM 10:39
Clerk of Court

NOTICE OF MOTION AND MOTION TO ADMIT COUNSEL *PRO HAC VICE*

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Court for the Southern District of New York, I, Sharan Nirmul, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of:

Applicant's Name: Gregory M. Castaldo
Firm Name: Barroway Topaz Kessler Meltzer & Check, LLP
Address: 280 King of Prussia Road
City/State/Zip: Radnor, PA 19087
Phone Number: (610) 667-7706
Fax Number: (610) 667-7056
Email Address: gcastaldo@btkmc.com

JUL 22 2009

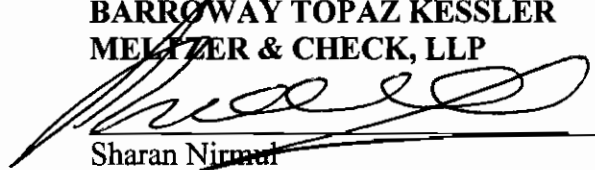
80 328-694846

Gregory M. Castaldo is a member in good standing of the Bars of the State of Pennsylvania and the State of New Jersey. There are no pending disciplinary proceedings against Gregory M. Castaldo in any State or Federal Court.

Dated: 7-20-09

Respectfully submitted,

**BARROWAY TOPAZ KESSLER
MELTZER & CHECK, LLP**



Sharan Nirmul
Email: snirmul@btkmc.com
280 King of Prussia Road
Radnor PA 19087
(610) 667-7706
Fax: (610) 667-7056

*Co-Lead Counsel for Lead Plaintiffs and the
Proposed Class*

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE BANK OF AMERICA CORP.
SECURITIES, DERIVATIVE AND
EMPLOYMENT RETIREMENT INCOME
SECURITY ACT (ERISA) LITIGATION

Master File No. 09 MD 2058 (DC)

CLASS ACTION

**AFFIDAVIT OF SHARAN NIRMUL IN
SUPPORT OF MOTION TO ADMIT
COUNSEL *PRO HAC VICE***

This document relates to:
All Securities Actions

Case No. 09 Civ. 0580 (DC)

State of Pennsylvania)
)
County of Delaware) ss.

Sharan Nirmul, being duly sworn, hereby deposes and says as follows:

1. I am an associate at Barroway Topaz Kessler Meltzer & Check, LLP, Co-Lead Counsel for the Lead Plaintiffs and the Proposed Class in the above-captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of the Lead Plaintiffs' motion to admit Gregory M. Castaldo as counsel *pro hac vice* to represent the Lead Plaintiffs in this matter.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law on May 1, 2002. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. Mr. Castaldo is a partner at Barroway Topaz Kessler Meltzer & Check, LLP in Radnor, Pennsylvania.

4. I have found Mr. Castaldo to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

5. Accordingly, I am pleased to move the admission of Gregory M. Castaldo, *pro hac vice*.

6. In compliance with Rule 1.3(c) of the Local Rules of the United States District Court for the Southern District of New York, I have attached Certificates of Good Standing for Mr. Castaldo from Pennsylvania and New Jersey issued within the past thirty days.

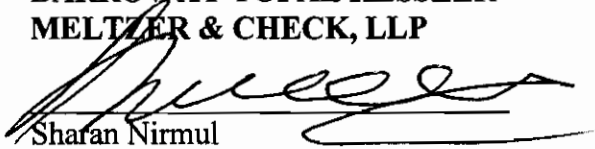
7. I respectfully submit a proposed order granting the admission of Gregory M. Castaldo, *pro hac vice*, which is also attached.

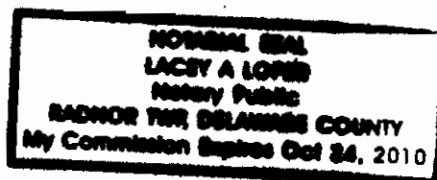
WHEREFORE it is respectfully requested that the motion to admit Gregory M. Castaldo, *pro hac vice*, to represent the Lead Plaintiffs in the above-captioned matter, be granted.

Dated: 7-20-09

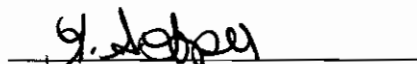
Respectfully submitted,

**BARROWAY TOPAZ KESSLER
MELTZER & CHECK, LLP**


Sharan Nirmul
Email: snirmul@btkmc.com
280 King of Prussia Road
Radnor PA 19087
(610) 667-7706
Fax: (610) 667-7056



Sworn to and subscribed before me
this 20th day of July, 2009.


Notary Public

*Co-Lead Counsel for Lead Plaintiffs and the
Proposed Class*



Supreme Court of Pennsylvania

CERTIFICATE OF GOOD STANDING

Gregory Michael Castaldo, Esq.

DATE OF ADMISSION

February 6, 1998

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



Witness my hand and official seal

Dated: July 16, 2009


John W. Person Jr., Esq.
Deputy Prothonotary

Supreme Court of New Jersey



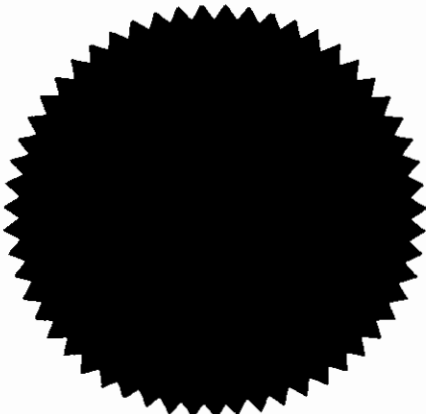
Certificate of Good Standing

This is to certify that **GREGORY MICHAEL CASTALDO**
(No. **017271997**) *was constituted and appointed an Attorney at Law of New Jersey on* **December 15, 1997** *and, as such, has been admitted to practice before the Supreme Court and all other courts of this State as an Attorney at Law, according to its laws, rules, and customs.*

I further certify that as of this date, the above-named is an Attorney at Law in Good Standing. For the purpose of this Certificate, an attorney is in "Good Standing" if the Court's records reflect that the attorney: 1) is current with all assessments imposed as a part of the filing of the annual Attorney Registration Statement, including, but not limited to, all obligations to the New Jersey Lawyers' Fund for Client Protection; 2) is not suspended or disbarred from the practice of law; 3) has not resigned from the Bar of this State; and 4) has not been transferred to Disability Inactive status pursuant to Rule 1:20-12.

Please note that this Certificate does not constitute confirmation of an attorney's satisfaction of the administrative requirements of Rule 1:21-1(a) for eligibility to practice law in this State.

*In testimony whereof, I have
hereunto set my hand and
affixed the Seal of the
Supreme Court, at Trenton, this
15TH day of July, 20 09.*



Mark [Signature]
Clerk of the Supreme Court

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE BANK OF AMERICA CORP.
SECURITIES, DERIVATIVE AND
EMPLOYMENT RETIREMENT INCOME
SECURITY ACT (ERISA) LITIGATION

Master File No. 09 MD 2058 (DC)

CLASS ACTION

**ORDER FOR ADMISSION *PRO HAC*
VICE ON WRITTEN MOTION**

This document relates to:
All Securities Actions

Case No. 09 Civ. 0580 (DC)

Upon the motion of Sharan Nirmul, Co-Lead Counsel for the Lead Plaintiffs and the Proposed Class, and said sponsor attorney's affirmation in support;

IT IS HEREBY ORDERED that

Applicant's Name: Gregory M. Castaldo
Firm Name: Barroway Topaz Kessler Meltzer & Check, LLP
Address: 280 King of Prussia Road
City/State/Zip: Radnor, PA 19087
Phone Number: (610) 667-7706
Fax Number: (610) 667-7056
Email Address: gcastaldo@btkmc.com

is admitted to practice *pro hac vice* as counsel for the Lead Plaintiffs and the Proposed Class in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic

Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

Dated: _____

Denny Chin, U.S. District Judge

CERTIFICATE OF SERVICE

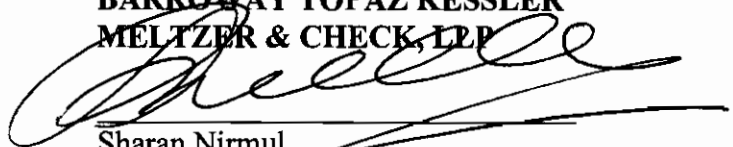
I hereby certify that I caused true and correct copies of the foregoing documents:

- *PRO HAC VICE* MOTION, AFFIDAVIT, AND PROPOSED ORDER.

to be filed with the Clerk of the Court on this date. The CM/ECF system will send notification to all counsel registered for CM/ECF.

Dated: 7-20-09

**BARROWAY TOPAZ KESSLER
MELTZER & CHECK, LLP**

A handwritten signature in black ink, appearing to read 'Sharan Nirmul', is written over a horizontal line.

Sharan Nirmul
Email: snirmul@btkmc.com
280 King of Prussia Road
Radnor PA 19087
(610) 667-7706
Fax: (610) 667-7056

*Co-Lead Counsel for Lead Plaintiffs and the
Proposed Class*